

Annexure E

Proposal Without Meeting Forms



RWH PTY LTD (IN LIQUIDATION)
ACN 168 773 779
ABN 59 168 773 779
(‘the Company’)

PROPOSAL WITHOUT MEETING FORM

Voting Poll Closes: 5 May 2025

Proposed Resolution 1:

No. Resolution

1. *“That the remuneration of the Liquidator, his partners and staff for the period 17 March 2025 to the finalisation of the Liquidation be approved up to an interim cap of **\$90,000.00** plus GST calculated on a time basis at the hourly rates charged by Raft Consulting and that the Liquidator be authorised to make periodical payments on account of such accruing remuneration and disbursements at his discretion, and that where this limit is exhausted the Liquidator shall seek further approval for fees from the creditors, Committee of Inspection (if appointed), or the Court.”*

Vote on proposal

Creditors have the option of approving, not approving or objecting to the proposal being resolved without a meeting of creditors. **Please select the appropriate Yes, No or Object box referred to below:**

- Yes ☐ I approve the proposal.
- No ☐ I do not approve the proposal.
- Object ☐ I object to the proposal being resolved without a meeting of creditors.

The Liquidator must admit your claim against the Company for the purposes of voting, for your vote to count. Please select the option that applies:

- ☐ I have previously submitted a Proof of Debt form and supporting documents.
- Or**
- ☐ I have enclosed a Proof of Debt form and supporting documents with this proposal form.

Creditor name: _____ **Claim \$** _____

Signature: _____

Reasons for the proposal and the likely impact it will have on creditors if it is passed.

The proposal is being put to creditors to approve remuneration as allowed under law. A liquidator is entitled to be fairly remunerated for undertaking statutory and other duties, including reporting obligations in acting as a liquidator.

- The proposal is being put to creditors to approve remuneration as allowed under law. A liquidator is entitled to be fairly remunerated for undertaking statutory and other duties, including reporting obligations in acting as a liquidator.
- The proposal, if passed, will minimise the cost of approving the Liquidator’s remuneration. That would otherwise require a meeting of creditors or court application to be approved – which can be a costly process.
- Remuneration of the Liquidator’s is to be paid in priority to other claims under the Corporations Act. This ensures that when there are sufficient funds, the Liquidator receives payment for the work done to recover assets, investigate the company’s affairs, report to creditors and ASIC and distribute any available funds.
- Even if creditors approve my remuneration, this does not guarantee that I will be paid, as I am only paid if sufficient assets are recovered.
- If sufficient assets are recovered, there may be funds available to pay a dividend to creditors. However, this is affected by many variables including the value of assets and complexity of the work I need to do in realising those assets, the level of creditor enquiries, the priority of claims (including employee claims) and the total value of creditor claims to be admitted to participate in a dividend.

My Remuneration Approval Request Report, which is included with this notice, provides more detailed information on the remuneration I am seeking to be approved.



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Proposed Resolution 2:

No. Resolution

2. *“That the internal disbursements claimed by Raft Consulting for the period 17 March 2025 to 30 June 2025 for the 2025 financial year calculated at the rates detailed in the Remuneration Approval Report, be approved up to an interim cap of \$4,000.00 plus GST and that the Liquidator be authorised to draw the disbursements from available funds as funds become available”.*

Vote on proposal

Creditors have the option of approving, not approving or objecting to the proposal being resolved without a meeting of creditors. **Please select the appropriate Yes, No or Object box referred to below:**

- Yes ☐ I approve the proposal.
- No ☐ I do not approve the proposal.
- Object ☐ I object to the proposal being resolved without a meeting of creditors.

The Liquidator must admit your claim against the Company for the purposes of voting, for your vote to count. Please select the option that applies:

- ☐ I have previously submitted a Proof of Debt form and supporting documents.

Or

- ☐ I have enclosed a Proof of Debt form and supporting documents with this proposal form.

Creditor name: _____ Claim \$ _____

Signature: _____

Reasons for the proposal and likely impact it will have on creditors if it is passed.

The proposal is being put to creditors to approve internal disbursements which may have a profit element for Raft Consulting.

- Internal disbursements where there is an element of profit must now have creditor approval pursuant to IPS 60-20(4)(c)(ii). Whilst IPS 60-20 does not specifically mention internal disbursements, the reimbursement of certain costs may at times give rise to a profit (particularly where costs are set to recover fixed and variable charges). Disbursements which are reimbursing staff expenses where that staff member is a “related entity” of the appointee would also be captured.
- Disbursements have a priority to other claims under the Corporations Act. Certain internal disbursements, being the reimbursement of costs related to the Liquidation incurred by my firm and staff, must be approved by creditors under the law.
- These disbursements are charged on a reasonable commercial basis, the details of which are outlined in detail in my Remuneration Approval Report.
- The proposal if passed will allow the reimbursement of reasonably commercial expenses, properly incurred for the Liquidation to my firm and its staff.

My Remuneration Approval Request Report, which is included with this notice, provides more detailed information on the disbursements I am seeking to be approved.



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Proposed Resolution 3:

No. Resolution

3. *“That the creditors direct the Liquidator to apply to ASIC when appropriate or upon finalisation of the liquidation for consent to destroy books within the retention period in accordance with IPS 70-35.”*

Vote on proposal

Creditors have the option of approving, not approving or objecting to the proposal being resolved without a meeting of creditors. **Please select the appropriate Yes, No or Object box referred to below:**

- Yes ☐ I approve the proposal.
- No ☐ I do not approve the proposal.
- Object ☐ I object to the proposal being resolved without a meeting of creditors.

The Liquidator must admit your claim against the Company for the purposes of voting, for your vote to count. Please select the option that applies:

- ☐ I have previously submitted a Proof of Debt form and supporting documents.
- Or
- ☐ I have enclosed a Proof of Debt form and supporting documents with this proposal form.

Creditor name: _____ Claim \$ _____

Signature: _____

Reasons for the proposal and likely impact it will have on creditors if it is passed.

- Approval by Creditors is efficient and timely and is less costly than an application to the Court.
- The impact of this approval would be the reduction of future costs of maintaining the books and records after the Company is deregistered and the matter is finalised.
- The approval will not impact of any return to creditors, if any.



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Creditor details

The Liquidator must admit your claim against the Company for the purposes of voting, for your vote to count. Please select the option that applies:

☐ I have previously submitted a Proof of Debt form and supporting documents.

Or

☐ I have enclosed a Proof of Debt form and supporting documents with this proposal form.

Creditor name:	ACN				
	/ ABN	/	/	/	
Address:					
City/suburb:	State:	P/code:			

Relationship to Company:	
EITHER	
<input type="checkbox"/>	I am not a related creditor of the Company.
OR	
<input type="checkbox"/>	I am a related creditor of the Company... Relationship:

Authorised person:	
Name:	
Position:	
Email:	Phone:
Signature:	Date:

Please complete this document and return with any supporting document. Instructions below:

Return form by	4pm, 5 May 2025
Completed forms can be returned by:	RWH.Liquidation@raftconsulting.com.au or *PO Box 3229, St Pauls NSW 2031

* Please ensure that this is sent with sufficient time to arrive by the date the vote closes. Postage time may be different from time to time.